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PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

1578.622 (formerly 55525501258)

First named inventor: Andrew John Farnsworth

Application No.: 10/674,109

Art Unit: Unknown

Filed: September 29, 2003

Examiner: Not yet assigned

Title: WIRELESS TELECOMMUNICATION SYSTEM

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a  
notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,330.00(37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of Submission of Inventors' Declaration and Other Documents (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if required) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

08/31/2004 HAL111 00000029 502032 10674109

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### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

25 Aug 04  
Date

Robert H. Kelly  
Signature

Telephone  
Number: 214-706-4200

Robert H. Kelly  
Typed or printed name

5956 Sherry Lane, Suite 1400  
Address

Enclosures: ☒ Fee Payment Dallas, Texas 75225  
Authorization to charge Deposit Acct 502032 Address

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☐ Other: \_\_\_\_\_

### CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

8/25/04  
Date

Diane Taylor  
Signature

Diane Taylor  
Type or printed name of person signing certificate



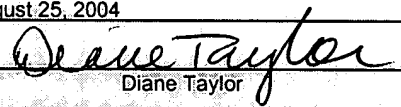
Attorney Docket No.  
1578.622 (formerly 555255-012-585)

Customer No. 30973  
Patent

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:     ANDREW JOHN FARNSWORTH, DAVID W. PEDLAR, GJALT GERRIT DE JONG  
  
For :                         WIRELESS TELECOMMUNICATION SYSTEM  
  
U.S. Serial No.:           10/674,109  
  
Filed:                      SEPTEMBER 29, 2003  
  
Group Art Unit:           UNKNOWN  
  
Examiner:                  NOT YET ASSIGNED  
  
Docket No.:                1578.622 (FORMERLY 555255-012-585)

Mail Stop PETITIONS  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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P.O. Box 1450  
Alexandria, VA. 22313-1450  
  
on     August 25, 2004  
  
  
Diane Taylor

**SUBMISSION OF INVENTORS' DECLARATION AND OTHER DOCUMENTS**

Dear Sir:

Together with this document, the Applicants submit their Inventors' declaration to complete the above-captioned patent application.

The Applicants have not received a Notice to File Missing Parts. But, by phone call to the USPTO on 25 August 2004, the undersigned was notified that the Notice was mailed on 23 December 2003.

Further enclosed herewith is a petition to revive the patent application. In the event that the application does not presently stand as abandoned, the applicant requests that this document be considered a petition under Rule 136 to extend the time period in which to submit the Inventors' declaration, up until, and including, this submission.

Attorney Docket No.  
1578.622 (formerly 555255-012-585)

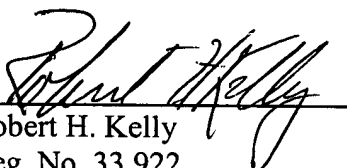
Customer No. 30973  
Patent

And further enclosed herewith is a Statement Under 37 C.F.R. 3.73(b), a Power of Attorney, a Recordation Form Cover Sheet, an assignment, and a return postcard.

The Commissioner is hereby authorized to debit Deposit Account No. 50-2032 for all fees associated with this application, including the late surcharge fee, the petition to revive/extension of time petition fee, the assignment recordation fee, and any other fees required pursuant to this submission and pursuant to the patent application.

Respectfully submitted,

Dated: 25 Aug 04

  
Robert H. Kelly  
Reg. No. 33,922

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